

STATE OF UTAH



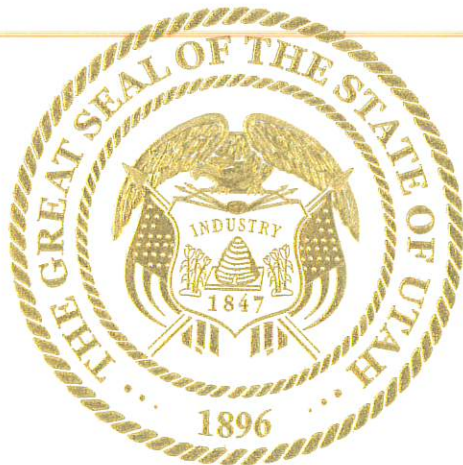
OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation known as the DOUGLAS AND NIKKI HIRSCHI ANNEXATION, located in CEDAR CITY, dated MAY 3, 2024, complying with Sections §10-2-425 and §67-1a-6.5 Utah Code Annotated, 1953, as amended.

Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the DOUGLAS AND NIKKI HIRSCHI ANNEXATION, located in IRON COUNTY, State of Utah.

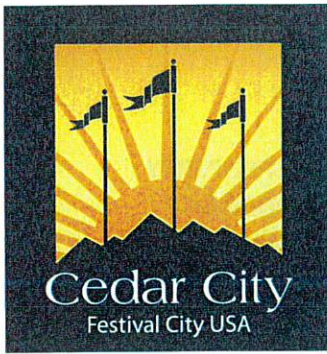
IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 10<sup>th</sup> day of May, 2024 at Salt Lake City, Utah.



A handwritten signature in black ink, reading "Deidre M. Henderson".

DEIDRE M. HENDERSON  
Lieutenant Governor





# Cedar City

10 North Main Street • Cedar City, UT 84720  
435-586-2950 • FAX 435-586-4362  
www.cedarcity.org

**Mayor**  
Garth O. Green

**Council Members**  
Robert Cox  
W. Tyler Melling  
R. Scott Phillips  
Ronald Riddle  
Carter Wilkey

**City Manager**  
Paul Bittmenn

May 3, 2024

The Honorable Deidre M. Henderson  
Utah Lieutenant Governor  
Utah State Capital Complex  
Suite 220  
P.O. Box 142325  
Salt Lake City, Utah 84114-2325

Re: Notice of Impending Boundary Action – Douglas and Nikki Hirschi Annexation (1711 W 3000 N)

Dear Lt. Governor Henderson:

In accordance with the terms of UCA §10-2-425 and UCA §67-1a-6.5 please accept this notice that Cedar City has passed an ordinance annexing approximately 10.66 acres of land into its municipal boundaries. Included herewith are duly executed copies of Cedar City's annexation ordinance and a copy of the final plat map.

Please accept this signed and verified statement certifying that all requirements applicable to this annexation have been completed. Please issue to Cedar City the appropriate certificate regarding this annexation.

If you have any questions or need anything, please contact me.

Sincerely,

Randall K McUne  
Cedar City Attorney

Enclosure: Plat Map  
Cedar City Ordinance No. 0424-24-3

**CEDAR CITY ORDINANCE NO. 0424-24-3**

**AN ORDINANCE OF THE CEDAR CITY COUNCIL ANNEXING APPROXIMATELY 10.66 ACRES OF PROPERTY LOCATED IN THE VICINITY OF 1711 WEST 3000 NORTH INTO THE CORPORATE LIMITS OF CEDAR CITY, UTAH, AND AMENDING THE OFFICIAL ZONING MAP OF CEDAR CITY TO ZONE THE PROPERTY DWELLING SINGLE UNIT (R-2-1) AND DWELLING MULTIPLE UNIT (R-3-M)**

**WHEREAS**, on January 10, 2024, Douglas and Nikki Hirschi, trustees of the Douglas H. and Nikki E. Hirschi Living Trust, petitioned the City Council for approval of an annexation into the Cedar City limits. The petition and plat map are attached as Exhibit A; and

**WHEREAS**, the Property is approximately 10.66 acres in size and is located in the vicinity of 1711 W 3000 N. The legal description of the property is attached as Exhibit B; and

**WHEREAS**, the Property is included within the Cedar City Annexation Expansion Area, and is not included within any other municipal jurisdiction; and

**WHEREAS**, the Planning Commission, after proper notice, conducted a public hearing, and voted to forward a positive recommendation for this proposed annexation to the City Council; and

**WHEREAS**, the annexation application and submittal documents are deemed complete; and

**WHEREAS**, the Cedar City Council accepted the petition for annexation on February 14, 2024; and

**WHEREAS**, the City reviewed the petition against the criteria stated in Sections 10-2-403(2), (3), and (4) of the Utah Code, annotated 1953 as amended, and found the petition complied with all applicable criteria of the Utah Code; and

**WHEREAS**, the City Recorder had public notice posted pursuant to Utah State law, giving notice that the petition had been certified and the required 30-day protest period had begun; and

**WHEREAS**, no protests were received as defined by Utah Code Annotated 10-2-407(1) within the 30-day protest period; and

**WHEREAS**, an Annexation Memorandum of Understanding for the Availability and Providing of City Services, sets forth further terms and conditions of the Annexation, is herein included as Exhibit C; and

**WHEREAS**, the Council finds that the Property is zoned Dwelling Single Unit (R-2-1) and Dwelling Multiple Unit (R-3-M) as shown in Exhibit D; and

**NOW THEREFORE BE IT ORDAINED** by the City Council of Cedar City, State of Utah, that the Property is hereby annexed into the corporate limits of Cedar City, Utah. The Property so annexed shall enjoy the privileges of Cedar City and shall be subject to all City levies and assessments. The Property shall be subject to all City laws, rules and regulations upon the effective date of this ordinance. The City staff is hereby directed to make the necessary changes to the City's zoning map, zoning the property Dwelling Single Unit (R-2-1) and Dwelling Multiple Unit (R-3-M) as shown in Exhibit D.

This ordinance, Cedar City Ordinance No. 0424-24-3, shall become effective immediately upon passage by the City Council and published in accordance with State Law.

Council Vote:

Hartley - Aye  
Isom - Aye  
Phillips - Aye  
Melling - Abstain  
Riddle - Aye

Dated this 29 day of April, 2024.

  
GARTH O. GREEN, MAYOR



[SEAL]

ATTEST:

  
RENON SAVAGE, RECORDER

**Exhibit A**

**Cedar City Ordinance 0424-24-3.**

## PETITION FOR ANNEXATION

TO THE CITY RECORDER OF CEDAR CITY, MUNICIPAL CORPORATION OF THE  
STATE OF UTAH:

The Petition of the undersigned owners of real property hereinafter more particularly described, do hereby present this Petition for Annexation of the said real property into the corporate limits of the City of Cedar City, Utah, and respectfully represent as follows:


1. That they are the owners of the real property in the territory lying contiguous to the present corporate limits of the city of Cedar City, in Iron County, State of Utah.
2. That the undersigned Petitioners constitute a majority of the owners of the said real property, and at least 1/3 of the value of all private real property within the area proposed for annexation, and that they desire to have such property annexed to the City of Cedar City, Utah and become a part thereof.
3. That attached hereto is an accurate plat or map of such territory to be so annexed, showing that such territory to be so annexed does actually lie contiguous to such existing boundaries of the city of Cedar City, Utah, and which plat or map has been prepared by Platt and Platt, Inc., competent and duly licensed engineers and surveyors.
4. That the territory to be so annexed is shown on the annexation plat attached hereto and is more particularly described as follows: **SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"**
5. The petitioner designated as the contact sponsor is Douglas H. Hirschi, Trustee of the Douglas H. and Nikki E. Hirschi Living Trust dated November 27, 2017, at 1711 W 3000 N, Cedar City, Utah.

WHEREFORE, your Petitioners request that the members of the City Council of the city of Cedar City, Utah accept the petition for further consideration and take appropriate action thereby declaring the annexation of such territory and real property and the extension of the corporate limits of the city of Cedar City, Utah, accordingly.

DATED this 10<sup>th</sup> day of January,  
2024.

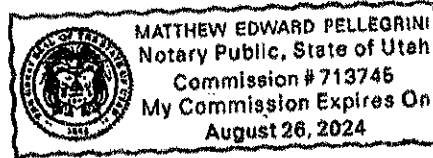
  
\_\_\_\_\_  
Douglas H. Hirschi, Trustee

Douglas H. and Nikki E. Hirschi Living Trust  
dated November 27, 2017

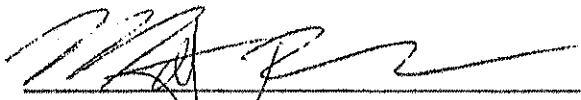
  
\_\_\_\_\_  
Nikki E. Hirschi, Trustee

Douglas H. and Nikki E. Hirschi Living Trust  
dated November 27, 2017

State of Utah) S.S.  
County of Iron)



On this the 10<sup>th</sup> day of January, in the year 2024, before me Matthew Edward Pellegrini a notary public, personally appeared Douglas H. Hirschi & Nikki E. Hirschi Trustees of the Douglas H. and Nikki E. Hirschi Living Trust dated November 27, 2017, proved on the basis of satisfactory evidence to be the persons whose names are subscribed to this instrument, and acknowledged they executed the same.

  
\_\_\_\_\_  
Notary Public



## **"Notice"**

• There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

• If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified."

**\*\*\* AT THE SAME TIME THE PETITION IS FORMALLY FILED WITH THE CITY, THE FOLLOWING MUST TAKE PLACE:**

- 1. A MYLAR MUST BE FILED**
- 2. WRITTEN NOTICE BY THE PETITIONER MUST BE SENT TO EFFECTED ENTITIES.**
- 3. VERIFICATION THAT THE REQUIRED NOTICES WERE SENT MUST BE FILED WITH THE PETITION.**

**Exhibit A**

BEGINNING N.89°57'39"E. ALONG THE EAST-WEST QUARTER SECTION LINE 1338.59 FEET AND N.0°08'11"W. 665.05 FEET FROM THE WEST QUARTER CORNER OF SECTION 27, TOWNSHIP 35 SOUTH, RANGE 11 WEST, SLB&M; THENCE N.89°30'13"W. ALONG THE BOUNDARY LINE OF GEMINI MEADOWS SUBDIVISION 766.37 FEET, THENCE N.1°29'29"E. ALONG SAID SUBDIVISION BOUNDARY LINE 609.41 FEET, THENCE N.89°55'22"E. 749.02 FEET TO THE EAST LINE OF THE SW1/4NW1/4 OF SAID SECTION 27, THENCE S.0°08'11"E. ALONG SAID 1/16TH LINE 616.85 FEET TO THE POINT OF BEGINNING. CONTAINS 10.66 ACRES OF LAND.

**PLATT**  
**PLATT, INC.**  
 ENGINEERS  
 1000 WEST 10TH AVENUE  
 DENVER, COLORADO 80202  
 PHONE: 303.733.1100  
 FAX: 303.733.1101  
 WWW.PLATTINC.COM

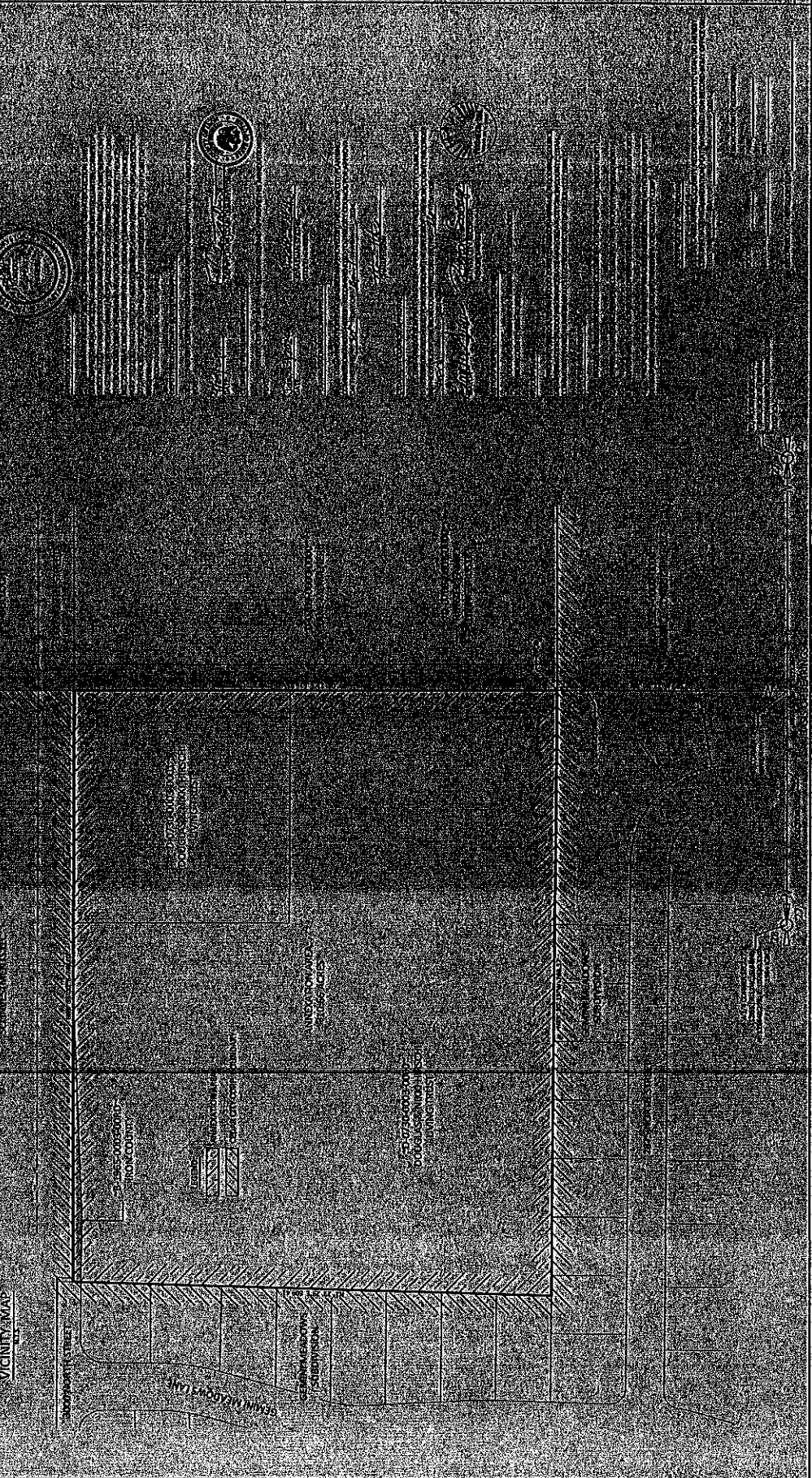
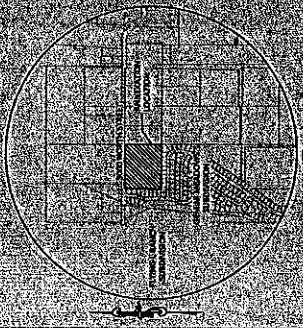


NO.	DATE	DESCRIPTION
1	11/15/11	ISSUED FOR PERMIT
2	01/10/12	REVISION: AS SHOWN
3	02/01/12	REVISION: AS SHOWN
4	02/01/12	REVISION: AS SHOWN
5	02/01/12	REVISION: AS SHOWN
6	02/01/12	REVISION: AS SHOWN
7	02/01/12	REVISION: AS SHOWN
8	02/01/12	REVISION: AS SHOWN
9	02/01/12	REVISION: AS SHOWN
10	02/01/12	REVISION: AS SHOWN

ANNEXATION MAP FOR  
 DOUGLAS & NIKKI HIRSCHL LIVING TRUST  
 WITHIN THE NE 1/4 OF SECTION 27, T11S, R11W, S12E, 10M  
 IRON COUNTY, IOWA

PAGE NO. 1 OF 1

**ANNEXATION MAP FOR**  
 DOUGLAS & NIKKI HIRSCHL LIVING TRUST  
 WITHIN THE NE 1/4 OF SECTION 27, T11S, R11W, S12E, 10M  
 IRON COUNTY, IOWA



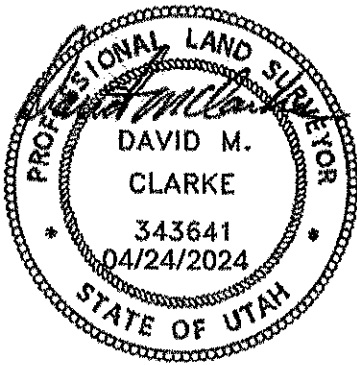
PAGE NO. 1 OF 1

**Exhibit B**

**Cedar City Ordinance 0424-24-3.**

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 27, TOWNSHIP 35 SOUTH, RANGLE 11 WEST SALT LAKE BASE AND MERIDIAN, THENCE N.0°09'47"W. ALONG THE SECTION LINE 1270.67 FEET AND N.89°50'13"E. 590.37 FEET TO THE TRUE POINT OF BEGINNING, THENCE S.88°44'31"E. ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF 3000 NORTH STREET 80.95 FEET, THENCE N.87°36'08"E. ALONG SAID RIGHT-OF-WAY LINE 373.42 FEET, THENCE S.00°06'06"E. 278.65, THENCE N.89°57'48"E. 295.50 FEET, THENCE S.00°06'06"E. 342.55 FEET TO THE SUBDIVISION LINE OF GEMINI MEADOWS SUBDIVISION, THENCE N.89°27'42"W. ALONG SAID SUBDIVISION BOUNDARY LINE 766.45 FEET, THENCE N.01°30'29"E. ALONG SAID SUBDIVISION BOUNDARY LINE 600.18 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 8.76 ACRES OF LAND



**Exhibit C**

**Cedar City Ordinance 0424-24-3.**

ANNEXATION  
MEMORANDUM OF UNDERSTANDING  
FOR  
THE AVAILABILITY AND PROVIDING OF CITY SERVICES

ANNEXATION NAME: Hirschi Annexation

ANNEXATION AREA: 3000 North

ANNEXATION LOCATION: Located in the NE ¼, Section 27, Township 35 South, Range 11 West, Salt Lake Base & Meridian.

This memorandum of understanding describes the availability and requirements to provide the basic City services to the Annexation Area. It is clearly understood that this is a general statement of the availability and requirements to provide services relative to this annexation area. Cedar City Corporation may require additional improvements in the process of the development and reserves the right to do so.

DESCRIPTION OF SERVICES

1. **WATER:** There is an existing 12-inch City water main in 3000 North Street. The water line in 3000 North Street is directly adjacent to the proposed annexation area.
2. **SEWER:** There is a 24-inch sewer line in 3000 North Street. Future development will likely need to connect to the sewer in 3000 North Street.
3. **DRAINAGE:** The annexed area drains to the northwest and flows towards 3000 North Street.
4. **ACCESS:** The annexed property has direct access to 3000 North Street, a dedicated City street.
5. **FIRE:** All development shall conform to the currently adopted International Fire Code and International Building Code. Fire apparatus access roads shall be provided and maintained. Required access roads shall extend to within 150 feet of all portions of buildings and all exterior walls as measured by an approved route around the exterior of buildings hereafter constructed. Security gates across fire department access roads shall be approved by the fire code official and shall have an approved means of emergency operation. The grade of fire department access roads shall not exceed 10 percent. An approved water supply capable of supplying the required fire flow shall be provided.

Developments within Cedar City's designated Wildland Urban Interface areas shall conform to the Utah Wildland Urban Interface Code as adopted by Cedar City Corporation.

Developments located outside of a 5-mile radius from a City fire station may be

classified as class 10--unprotected, by the Insurance Services Office (ISO). While the fire department will provide fire protection in such areas, insurance rates are likely to be greater than those located within the city's ISO class 4 protection classification.

6. POLICE: The annexed property is within the area presently served by the Cedar City Police Department.

APPROVALS:

*Mike Phillips*  
CEDAR CITY FIRE DEPARTMENT

*Darin M. Adams*  
CEDAR CITY POLICE DEPARTMENT

*Jonathan Stathis*  
CEDAR CITY ENGINEERING DEPARTMENT

Authenticatign  
*Douglas Hirschi*  
PROPERTY OWNER

Authenticatign  
*Nikki Hirschi*



Exhibit D

Cedar City Ordinance 0424-24-3.

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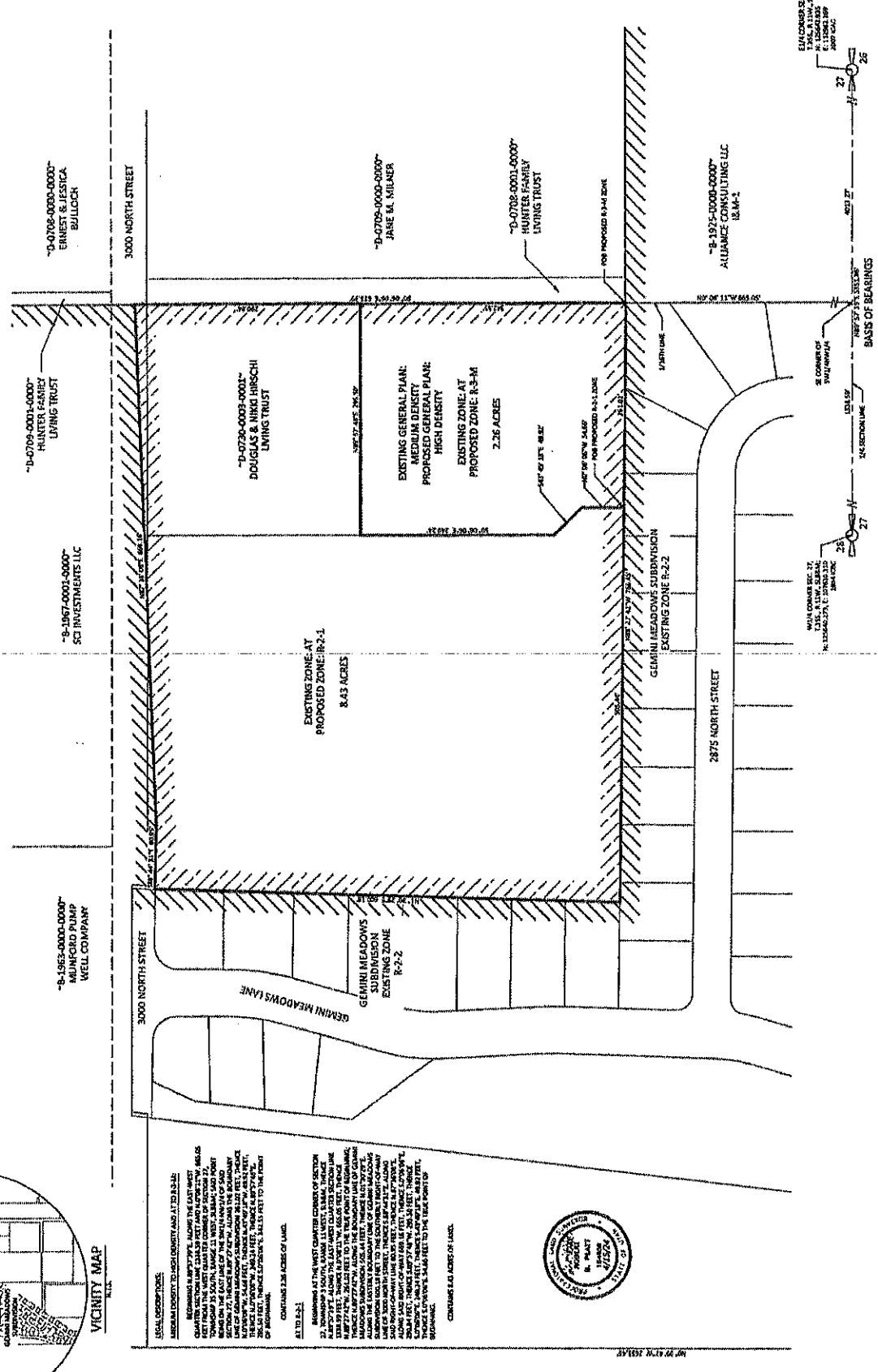
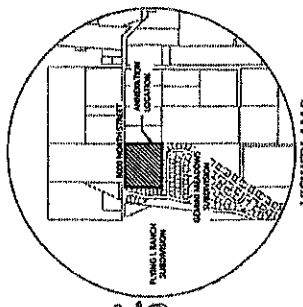
**PLATT & PLATT, INC.**  
 SURVEYORS  
 CIVIL ENGINEERS  
 LAND SURVEYORS  
 REAL ESTATE BROKERS  
 2224 N. 1000 E. SUITE 100  
 P.O. BOX 1000  
 HERRING, UTAH 84743  
 TEL: (435) 366-4555  
 FAX: (435) 366-4507  
 WWW.PLATTANDPLATT.COM



GENERAL PLAN AND ZONE CHANGE MAP FOR  
 DOUGLAS & NIKKI HIRSCH LIVING TRUST  
 WITHIN THE NW/4 OF SECTION 27, T. 33 S., R. 11 W., S18&M  
 IRON COUNTY, UTAH

DRAWN BY:  
 H.C. WALKER  
 CHECKED BY:  
 A.S. PLATT  
 DATE: MAY-22, 2018  
 SCALE: 1" = 400'  
 PAGE: 1 OF 1

# GENERAL PLAN AND ZONE CHANGE MAP FOR DOUGLAS & NIKKI HIRSCH LIVING TRUST WITHIN THE NW/4 OF SECTION 27, T. 33 S., R. 11 W., S18&M IRON COUNTY, UTAH



**LEGAL DESCRIPTION:**  
 MEDIUM DENSITY TO HIGH DENSITY AND AT TO R-3-M  
 BEGINNING AT THE WEST CORNER OF SECTION  
 QUARTER SECTION 27, T33S, R11W, S18&M, IRON  
 COUNTY, UTAH, AND PROCEEDING N07°45'28"W,  
 200.00 FEET TO A POINT ON THE WEST LINE OF  
 SECTION 27, T33S, R11W, S18&M, IRON COUNTY,  
 UTAH, BEARING S00°00'00"W, 100.00 FEET TO A  
 POINT ON THE SOUTH LINE OF SAID SECTION 27,  
 T33S, R11W, S18&M, IRON COUNTY, UTAH, BEARING  
 S00°00'00"W, 100.00 FEET TO A POINT ON THE  
 WEST LINE OF SAID SECTION 27, T33S, R11W,  
 S18&M, IRON COUNTY, UTAH, BEARING S00°00'00"W,  
 100.00 FEET TO A POINT ON THE WEST LINE OF  
 SAID SECTION 27, T33S, R11W, S18&M, IRON  
 COUNTY, UTAH, BEARING S00°00'00"W, 100.00  
 FEET TO THE POINT OF BEGINNING.

**CONTAINS 2.26 ACRES OF LAND.**

**ALTOGETHER:**  
 BEGINNING AT THE WEST CORNER OF SECTION  
 QUARTER SECTION 27, T33S, R11W, S18&M, IRON  
 COUNTY, UTAH, AND PROCEEDING N07°45'28"W,  
 200.00 FEET TO A POINT ON THE WEST LINE OF  
 SECTION 27, T33S, R11W, S18&M, IRON COUNTY,  
 UTAH, BEARING S00°00'00"W, 100.00 FEET TO A  
 POINT ON THE SOUTH LINE OF SAID SECTION 27,  
 T33S, R11W, S18&M, IRON COUNTY, UTAH, BEARING  
 S00°00'00"W, 100.00 FEET TO A POINT ON THE  
 WEST LINE OF SAID SECTION 27, T33S, R11W,  
 S18&M, IRON COUNTY, UTAH, BEARING S00°00'00"W,  
 100.00 FEET TO A POINT ON THE WEST LINE OF  
 SAID SECTION 27, T33S, R11W, S18&M, IRON  
 COUNTY, UTAH, BEARING S00°00'00"W, 100.00  
 FEET TO THE POINT OF BEGINNING.

**CONTAINS 8.43 ACRES OF LAND.**

